



ఆంధ్రప్రదేశ్ రాజపత్రము  
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**PART II - MISCELLANEOUS NOTIFICATIONSN OF INTEREST TO THE PUBLIC**

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**NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,**

**DEPARTMENT OF AGRICULTURE**

**MEMO**

ARTICLE OF CHARGES FRAMED AGAINST TO Sri A.V.R. SWAMY, EX- AGRIL. OFFICER, BATTIPOLU & PRESENT AGRIL. OFFICER, SYDAPURAM, NELLORE DISTRICT - DEPARTMENTAL PROCEEDINGS UNDER RULE-20 OF THE APCS (CC&A) RULES 1991.

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**No.Vig. II(2)584/2000,-** It is proposed to hold an enquiry against Sri A.V.R. Swamy, Ex-Agril. Officer, Battipolu & Present Agril. Officer, Sydapuram, Nellore District, in accordance with the procedure laid down in Rule-20 of the APCS (CC&A) Rules 1991.

2. The subsistence of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be head is set out in the enclosed statement of article of charges (Annexure-I). A list of documents by which and a list of witnesses by whom the articles of charges are proposed to be sustained are also enclosed (Annexure - II & III).

3. Sri A.V.R. Swamy, Ex- Agril.Officer, Battipolu & Present Agril. Officer, Sydapuram, Nellore District, is directed to appear before the disciplinary authority within ten working days of the receipt of this Memo and submit a written defence statement of his defence and to state whether he desires to be heard in person (as per G.O.Ms.No.383, G.A (Ser.C) Dept, Dt: 13-12-03.)

4. Sri A.V.R. Swamy, Ex- Agril.Officer, Battipolu & Present Agril. Officer, Sydapuram, Nellore District, is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should therefore, specifically admit or deny each article of charge.

5. Sri A.V.R. Swamy, Ex- Agril.Officer, Battipolu & Present Agril. Officer, Sydapuram, Nellore District, is further informed that, if he does not submit his written statement of defence on or before the date specified in para 3 above further action will be proceeded based on the material available.

6. Attention of Sri A.V.R. Swamy, Ex- Agril.Officer, Battipolu & Present Agril. Officer, Sydapuram, Nellore District, to Rule-24 of the APCS(Conduct) Rules, 1964 under which no Government servant shall bring of attempt to bring any political or outside influence to bear upon any superior authority to furtherance of his interest in respect of matters pertaining to his service under the Government if any representation is received in his behalf from another person in respect of any matter deals with these proceedings will be presumed that Sri A.V.R. Swamy, Ex- Agril.Officer, Battipolu & Present Agril. Officer, Sydapuram, Nellore District, is aware of such a representation and that it has made at his instance and action will be taken against him for violation of Rule-24 of the APCS (Conduct) Rules, 1964.

The receipt of the memorandum should be acknowledged.

### **ANNEXURE - I**

#### **Statement of Article of Charge framed against Sri A.V.R. Swamy, Ex-Agricultural Officer, Sydapuram, SPSR Nellore District.**

##### **Article of Charge: 1**

That Sri A.V.R. Swamy, while working as Agricultural Officer, Sydapuram, SPSR Nellore' district proceeded on Medical Leave w.e.f. 5.3.2003. He neither resumed duty after expiry of leave applied for nor extended leave further. His where abouts are not known till this date. Thus he had stayed away from duty and remained absent un-authorisedly from 5.3.2003 onwards without prior intimation or sanction of leave by the leave sanctioning authority, thereby violating Rule 3 of A.P.C.S. ( Conduct) Rules 1964. He is not a fit person to be continued in Government Service.

##### **Basis of Charge:**

Sri A.V.R.Swamy, while working as Agricultural Officer, Bhattiprolu, Guntur district obvious to his official position, started doing private business of manufacturing Micro nutrients in collusion with a Fertilizer dealer at Chebrolu, Guntur district. Since, 1996, under the name and style of M/s Micro Fertilizers Company with his Life partner Smt. A.Balasudharani as partner of the firm, for his personal pecuniary benefit. Thereby violating Rule 10 of A.P.C.S. ( Conduct) Rules 1964. He had treated his Government job as a secondary occupation. During joint inspection by the Agriculture Department and Vigilance and Enforcement Department Officials, spurious Fertilizers and Pesticides were detected and seized. Since, there was Prima-facie case, disciplinary action was initiated under Rule-20 of APCS (CC&A) Rules-1991 against Sri A.V.R.Swamy, the then Agricultural Officer, Bhattiprolu, Guntur district which finally resulted in the

issuance of orders for withholding (4) Four Increments with cumulative effect [vide Procs No.Vig.II(2) 584/2000, Dt: 7.3.2005 of the Commissioner and Director of Agril. AP., Hyderabad]. Meanwhile, pending finalization of disciplinary case, Sri A.V.R. Swamy was transferred and posted as Agricultural Officer, Sydapuram, SPSR Nellore district. The orders imposing punishment of stoppage of Four increments with cumulative effect was communicated to Joint Director of Agriculture, Nellore with a direction to cause serving of Original copy of order on Sri A.V.R.Swamy, the then Agricultural Officer, Sydapuram, SPSR Nellore district and re-submit acknowledged copy [with the dated full signature] to the Commissionerate of Agriculture.

The Joint Director of Agriculture, Nellore could not serve the order on Sri A.V.R. Swamy since, he stayed away from duty from 5.3.2003 onwards and hence, the Joint Director of Agriculture, Nellore re-submitted original orders to the Commissioner and Director of Agril. AP., Hyderabad. The resignation submitted by Sri A.V.R.Swamy was also rejected in view of disciplinary case pending against him. Thus, the orders imposing punishment could not be implemented, since he was not accessible, the show-casuse notice memo intended for him was published in the A. P. Gazette Dated 16.12.2004. There was no response from him.

Sri A.V.R.Swamy, while working as Agricultural Officer, Sydapuram, SPSR Nellore district had stayed away from duty w.e.f. 5.3.2003 onwards, despite taking sincere efforts, the Joint Director of Agriculture, Nellore could not trace the whereabouts of Sri A.V.R.Swamy, Agricultural Officer. Thus Sri A.V.R.Swamy is still elusive and continued to remain "IN COMMUNICADO". He has consciously and wilfully violated Rule 3 of A.P.C.S. ( Conduct) Rules 1964. He has deliberately deviated the path of Departmental discipline and conducted himself in an irresponsible way.

Sri A.V.R.Swamy, Ex-Agricultural Officer, Sydapuram has deserted his post at Sydapuram in SPSR Nellore district at a crucial time, when there was urgent need to activate and motivate farmers on modern methods of Agriculture, by dissemination of Latest Technology. He had forfeited the confidence reposed on him by the Government. Likewise, he has also lost sympathy from Farming Community. Government in their order G.O. Ms.No.260 G.A.(Ser-C) Dept, Dated 4.9.2003 have issued orders to the effect that "in all cases of un-authorized absence to duty for continuous period exceeding one year, the penalty of removal from service shall be imposed on the Government Employee, following rules in force" Government have reiterated these instructions from time to time.

Sri A.V.R.Swamy, Ex-Agricultural Officer, Sydapuram, SPSR Nellore district by his wilful and prolonged absence from duty without proper leave, has exhibited total lack of devotion to duty, by remaining absent from duty from 5.3.2003 un-authorisedly and behaved in a manner unbecoming of a Government servant and hence he is not a fit person to be retained in service and ends of justice would be met, if appropriate penalty, which will be just and commensurate with his misconduct is imposed on him.

**ANNEXURE - II**

List of documents by which the Article of Charge framed against Sri A.V.R. Swamy, Ex- Agricultural Officer, Sydapuram, SPSR Nellore District.

1. Proceedings No. Vig.II(2) 584/2000, Dt: 7.3.2005 of the C&DA AP, Hyd.
2. Govt. Memo No. 4368/Vig-H/2010-I, Dt: 23.6.2010.
3. G.O.Ms.No.260 G .A. ( Ser-C)Dept, Dt: 4.9.2003.
4. A.,P.Gazette Dt: 16.12.2004 in which Show-Casue Notice memo put shed.

**ANNEXURE - III**

List of witnesses by which Article of charge framed against Sri A.V.R. Swamy, Ex- Agricultural Officer, Sydapuram, SPSR Nellore district are proposed to be sustained.

--Nil--

Date: 14-10-2010.

**Sd/-.,**  
*Commissioner and Director of Agriculture,*  
*A.P., Hyderabad.*

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